

## **REMARKS/ARGUMENTS**

The Applicants originally submitted Claims 1-20 in the application. In the current response, the Applicants have amended Claims 1 and 3. Support for the amendment can be found, for example, in paragraphs 27 and 38-40 of the original specification. No other claims have been canceled or added. Accordingly, Claims 1-20 are currently pending in the application.

### **I. Formal Matters and Objections**

The Examiner has objected to Claim 3 as containing an informality; namely a typographical error. In response, the Applicants have amended Claim 3 to correct this inadvertent error and appreciate the Examiner's diligence in finding and bringing this error to their attention.

### **II. Rejection of Claims 1, 15 and 20 under Non-Statutory Double Patenting**

The Examiner has rejected Claims 1, 15 and 20 on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 15 of co-pending Application No. 10/612,097 in view of U.S. Patent No. 5,568,644 to Nelson, *et al.* In response, the Applicants hereby submit a terminal disclosure. Accordingly, the Applicants respectfully request the Examiner to withdraw the non-statutory obviousness-type double patenting rejection of Claims 1, 15, and 20 and allow issuance thereof.

### **III. Rejection of Claims 1-4 and 7-10 under 35 U.S.C. §101**

The Examiner has rejected Claims 1-4 and 7-10 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. In response, the Applicants have amended

independent Claim 1 to more clearly point out that these claims are directed to a computer-implemented condition management callback system in compliance with the requirements of §101. Accordingly, the Applicants respectfully request the Examiner to withdraw the §101 rejection with respect to Claims 1-4 and 7-10.

#### **IV. Rejection of Claims 1-3, 7-9, 11-13 and 17-19 under 35 U.S.C. §102**

The Examiner has rejected Claims 1-3, 7-9, 11-13 and 17-19 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,568,644 to Nelson, *et al.* The Applicants respectfully disagree since Nelson does not teach a each element as recited in independent Claims 1 and 11.

Nelson teaches at step 200, an interrupt is generated and the interrupt dispatching process or interrupt engine begins processing at the root node of the hierarchical Interrupt Source Tree (IST) by making the root node the current evaluation node in step 205. Nelson then traverses the hierarchical IST using an interrupt service routine (ISR) to determine which node caused an interrupt. (*See* column 4, line 66, through column 6, line 51, and Figure 3.) Thus, Nelson does not teach using another structure to traverse the hierarchical IST. As such, Nelson does not teach a condition management structure associated with a hierarchical register consolidation structure as recited in independent Claims 1 and 11. Therefore, Nelson also does not teach employing the condition management structure to determine a condition of at least one of the status indicators by traversing the hierarchical register consolidation structure as recited in independent Claims 1 and 11. As such, Nelson does not anticipate independent Claims 1 and 11 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §102(b) rejection of Claims 1-3, 7-9, 11-13 and 17-19 and allow issuance thereof.

**V. Rejection of Claims 4-6, 10, 14-15, and 20 under 35 U.S.C. §103**

The Examiner has rejected Claims 4-6, 10, 14-15, and 20 under 35 U.S.C. §103(a) as being unpatentable over Nelson as applied to Claims 1 and 11 above, and further in view of: U.S. Patent No. 5,805,889 to Van De Vanter for Claims 4 and 14; U.S. Patent No. 6,845,419 to Moyer for Claims 5-6 and 15-16; and U.S. Patent No. 4,768,149 to Konopik, *et al.* for Claims 10 and 20. The Applicants respectfully disagree.

As argued above, Nelson does not teach employing a condition management structure to traverse a hierarchical register consolidation structure to determine a condition of at least one status indicator as recited in independent Claims 1 and 11. Furthermore, it does not suggest the same since Nelson discloses traversing the hierarchical IST by determining at each node which branch to take before proceeding. (*See Abstract.*) As such, Nelson does not teach or suggest each element of independent Claims 1 and 11.

The Applicants do not find where the above references cure the noted deficiencies of Nelson. Additionally, the above references have not been cited to cure the noted deficiencies of the independent claims but to teach the limitations of the above noted dependent claims. Thus, the cited combinations do not provide a *prima facie* case of obviousness of independent Claims 1 and 11 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 4-6, 10, 14-15, and 20 and allow issuance thereof.

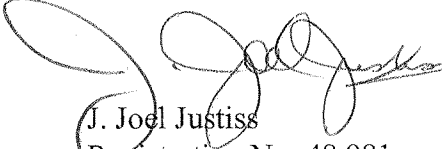
**VI. Conclusion**

In view of the foregoing amendment and remarks, the Applicants now see all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-20.

The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

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